

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

RAYTHEON COMPANY,
Plaintiff,

v.

INDIGO SYSTEMS CORPORATION and
FLIR SYSTEMS, INC.,
Defendants.

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Case No. 4:07-cv-109

ORDER

In its consideration of the Defendants' Motion for Summary Judgment (de # 66), the court has identified an issue on which the record provides incomplete information. Paragraph 23 of the Plaintiff's First Amended Complaint lists five contracts that Raytheon lost to Indigo Systems Corporation prior to losing the Armed Reconnaissance Helicopter contract in July of 2006. The court has been able to glean from the record that the Litening contract was awarded sometime in the year 2000 and that the Joint Strike Fighter contract was awarded in March of 2003. However, the dates of the RAID, BAMS and Fire Scout contracts are not contained in the record. Having those dates would be helpful to the court in deciding the Defendants' Motion. In addition, the court would like to know what type of technology Indigo provided in all five of these contracts and whether that technology was within the expertise of the employees hired by Indigo from Raytheon. So that it may decide the Motion with the benefit of all of the necessary information, the court hereby

ORDERS the parties to provide the court with the dates on which Indigo was awarded its portions of the RAID, BAMS and Fire Scout contracts. The court further

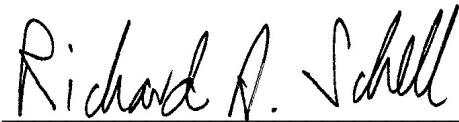
ORDERS the parties to apprise the court of the nature of the technology supplied by Indigo under the RAID, BAMS, Fire Scout, Litening and Joint Strike Fighter contracts and whether that

technology was within the expertise of the employees hired by Indigo from Raytheon.

These disclosures shall be made to the court no later than July 1, 2008 at 5:00 pm Central Daylight time.

IT IS SO ORDERED.

SIGNED this the 23rd day of June, 2008.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a large, prominent "R" and "S".

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE